

City of Springfield
Animal Issues Task Force
Recommendation # 3
Policies and Legislation
Partnership to Promote Responsible Pet Ownership

GOAL: Develop a long range plan of action to make the program self-supporting. Revenue generated by Animal Control programs must be funneled back to Animal Control instead of general revenue. A combination of differential dog licensing and revenue generating programs including a "friends of the pound" not-for-profit organization would have the potential over time to fund the program.

Purpose: The Animal Issues Task Force recommends that City Council consider modifying current legislation and program policies to be based on these principles:

- Partnering with Springfield pet owners to provide a pathway to responsible pet ownership
- License and provide permanent ID for dogs
- Spay/Neuter provided at low cost to those that are financially eligible
- Provide programs for training/physical care/socialization and medical care to animals
- Do not allow pets to become a threat to the community

Rationale: There are a number of additions, modifications and deletions that should be made to City ordinances. These changes will help improve conditions for animals in Springfield. Additional changes can also be made to existing shelter policies that will assist staff and volunteers in finding forever homes for unclaimed and abandoned animals.

Legislation: We recommend the following changes to City ordinances:

- ***Implement a comprehensive pet licensure program for dogs and a voluntary licensing for cats-*** This approach would be modeled after ordinances in many cities, including Salt Lake City, Utah, Omaha, Nebraska, and Calgary, Alberta. Responsible pet ownership revolves around the proper care and identification of an animal and preventing pets from becoming a hazard or nuisance to the community.
 - Goal: To promote the philosophy of responsible pet ownership.
 - Under this approach:

- There will be no limit on the number of pets one can own; the focus will be responsible ownership. If the owner of any animal cannot demonstrate the ability to abide by ordinances that are associated with the care and upkeep of animals, they will no longer be permitted to harbor pets under the reckless owner provision
 - We recommend a differential licensure approach where the licensing fees are significantly less for animals that have been spayed/neutered.
 - **Potentially Dangerous/Vicious Animals/Reckless Owner** – This approach would be modeled after an ordinance from Omaha, Nebraska and would eventually replace the existing breed specific legislation.
 - Goal: To identify potentially dangerous dogs of all breeds before they seriously injure humans
 - Enforcement - complaint driven. Officers will investigate whether or not the dog's behavior fits into the definition. They will talk to witnesses, victims, and the dog's owner as well as observe the dog itself to make a determination.
 - Severity will be determined by a behavioral assessment scale (example attached).
 - This legislative change would utilize a tiered system to manage animals that are a threat to the safety and welfare of citizens of Springfield.
 1. Tier I – Potentially dangerous dog:
 - a) Any dog which, when unprovoked on two separate occasions within the prior 36-month period, engages in any behavior that requires a defensive action by any person to prevent bodily injury to a human when the person and the dog are off the property of the owner or keeper of the dog.
 - b) Any dog which, when unprovoked, bites a person causing a less severe injury than as defined under the dangerous dog provisions below.
 - c) Any dog which, when unprovoked, on two separate occasions within the prior 36-month period, has killed, seriously bitten, inflicted injury, or otherwise caused injury attacking a domestic animal off the property of the owner or keeper of the dog.
- Owners of potentially dangerous dogs will be subject to the following provisions.
 - Never allow the dog to be off their property unless on a 6 ft leash, under the control of a person over 18 years of age.
 - Spay or neuter the dog within 30-days of the declaration.
 - Micro-chip the dog within 30-days of the declaration

- Obtain a potentially dangerous dog license (price to be determined). The license must be on the dog at all times and will be color differentiated from regular license tags.

In addition, these provisions may be added depending on the situation:

- Muzzle the dog whenever outside the home or securely fenced yard.
- Attend a responsible pet owner class approved by Animal Control staff within 90-days of the declaration.
- Attend, with dog, a dog behavior class approved by Animal Control staff within 90-days of the declaration.
- Carry \$100,000 liability insurance.
- Owners who are convicted of one or more violations of the ordinance on three separate occasions in a 24 month period, or who fail to follow the requirements of owning a **Potentially Dangerous Dog/Vicious Dog** can be declared a reckless owner.

After 12 months of appropriate behavior, the PDD declaration drops off.

As a transition to expanding the Potentially Dangerous Dog/Vicious Dog legislation to all breeds, the task force recommends placing all dogs currently registered in BSL to follow the requirements of PDD on the effective date of this ordinance. Those dogs who comply with the requirements of PDD and have no violations with animal control will have the PDD requirements drop off after one year

2. Tier II – Vicious dog:

- a) Any dog which, when unprovoked, in an aggressive manner, inflicts severe injury on or kills a human being.
- b) Any dog previously determined to be and currently listed as a potentially dangerous dog which, after its owner or keeper has been notified of this determination, continues the behavior described in the potentially dangerous dog definition or is maintained in violation of not following the provisions for maintaining a potentially dangerous dog.
 - Owners of dogs deemed to be vicious will be subject to the following provisions. Such provisions are a requirement for the life of the animal:

- Never allow the dog to be off their property unless on a 6 ft leash, under the control of a person over 18 years of age.
- Spay or neuter the dog within 30-days of the declaration.
- Micro-chip the dog within 30-days of the declaration
- Obtain a vicious dog license (price to be determined). The license must be on the dog at all times and will be color differentiated from regular license tags.

In addition, these provisions may be added depending on the situation:

- Muzzle the dog whenever outside the home or securely fenced yard
- Attend a responsible pet owner class approved by Animal Control staff within 90-days of the declaration.
- Attend ,with dog, a dog behavior class approved by Animal Control staff within 90-days of the declaration.
- Carry \$100,000 liability insurance.
- Owners who are convicted of one or more violations of the ordinance on three separate occasions in a 24 month period, or who fails to follow the requirements of owning a PDD/vicious dog can be declared a reckless owner.
- Once a dog is declared vicious, they retain that classification for life.
- Any dog declared vicious by the hearing examiner may be ordered humanely euthanized upon the expiration of the appeal period.

3. Tier III – Reckless Owner:

- a) A tool that is applied to repeat offenders of animal control ordinances such as a dog repeatedly running at large, not adhering to the requirement of maintaining a dangerous dog, or not providing adequate food/water/shelter for an animal.
- b) Owners deemed to be “reckless” would forfeit their ability to have a pet for 4 years.
- c) This designation would be applied to repeat offenders.
- d) The designation is applied to the address where the owner resides to prevent transfer of animals to family members.

- **Animal Transfer License –**
 - Goal: Reduce pet sales in parking lots
 - Pros: Reduce impulse pet ownership, preventing these animals from later ending up at animal control after the puppy cuteness wears off, discourage back yard breeding
 - Cons: Enforcement on complaint basis only
 - individuals who transfer ownership of animals in parking lots or other public settings would be required to apply for a city license, whether a fee is charged for the animal or not. The license would be valid for 30 days. Individuals who do not obtain the necessary licensure would be ticketed and subject to a significant fine. Not required for licensed rescue transport.
- **Create a legal definition of “owned cat”**- A cat that spends time in a climate controlled dwelling and/or has identification on their body to link them back to an owner such as an identification tag on break away collar or microchip. This would allow any cat found outdoors without identification to be available for TNR.
- **Limited-Tethering –** Research shows that the act of tethering an animal for extended periods of time increases the likelihood of aggressive behavior in the animal. The group proposes placing time limits on how long an animal can be tethered. An alternative to tethering is a dog trolley system which provides more range of motion and reduces the risk that the dog will become entangled with another object.
 - Goal: To provide alternative restraint methods for dogs other than tethering the animal to a fixed point and to limit the time that an animal spends tethered to a fixed point.
 - Enforcement: Such an ordinance would be enforced on a complaint basis.
- **Removal of the provision found in Chapter 18, Section 55 which allows the health department to release animals to accredited public schools for research purposes –** This practice does not occur but it is best if the language is removed from the City Code Book.